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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,994	11/16/2001	Jean-Jacques Carrillo	Q67326	8042

7590 10/06/2004

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EXAMINER

THOMSON, WILLIAM D

ART UNIT PAPER NUMBER

2123

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/987,994

Applicant(s)

CARRILLO, JEAN-JACQUES

Examiner

William D. Thomson

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2001 and 23 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☒ Claim(s) 2 and 4-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/23/02</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-7 have been presented for examination.
2. Claims 1 and 3 have been rejected.
3. Claims 2, 4-7 have been objected to as being dependent upon a rejected claim.

Priority

4. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been received and a foreign priority date of November 17, 2000 has been afforded the instant application.

Allowable Subject Matter

5. Claims 2, 4-7 are objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As to claim 2, the specific steps as recited therein for the process as recited in claim 1 was not expressly uncovered, nor was evidence uncovered that would have provided support for providing a motivational statement that would render the claimed invention obvious over the prior art. As to claim 4, the assignment information belonging to the peripheral measuring units being formatted as topology binary files which use strings of one or more bytes, and where each bit of a byte represents the port of the component which is identified at the time of the assignment or represents an external node assed to a unit, was not expressly

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uncovered, nor was evidence uncovered that would have provided support for providing a motivational statement that would render the claimed invention obvious over the prior art.

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. §102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 3 are rejected under 35 U.S.C. § 102(b) as being anticipated by Kussel (795).

Taking claim 1, for example, Kussel (795) teaches, at figures 1-3, col. 4, lines 66- col. 6, lines 49, a process for initializing and updating the topology of a high-voltage or medium-voltage electrical power station, the process being intended to optimize the operation of a digital protection system for protecting sets of bus-bars in the power station and using a basic schematic of the electrical configuration of the power station obtained from information on the type of components used in the power station, and on the possible connections and accesses to said components, said information being provided by an operator from a man-machine interface and assigned to management units of said digital protection system, said management units comprising peripheral measurement units distributed over the power station and at least one centralization unit, the process including the following steps:

- a topological compilation process is implemented to provide a compiled schematic topology from the basic schematic, and to provide a compiled assignment topology of the components in the power station and of their connections to said management units;

- a partial graph is obtained for each peripheral measuring unit from the compiled schematic and assignment topologies and from information collected by said unit on the status of the components which are assigned to it, operational search processes being implemented to generate partial graphs whose structure depends on the type of information searched for and the status of each component of the power station; and

- a complete graph is computed in one or more centralization units by algorithms which superpose partial graphs in accordance with graph theory (understood and interpreted as using known methods for superposition, sub-graph, partial graph and reduced order graph theory as taught in the prior art of Kussel (795)).

As for claim 3, Kussel (795) teaches the searching process uses information collected by a peripheral measuring unit on the status of the components which are assigned to it to arrive at a topology in the form of nodes or in the open graph form between the ports of each object, and wherein a plurality of nodes interconnected in a partial graph are grouped into a single node during a step of node reduction by mutual comparison at figures 4-15 and col. 6, lines 49 et seq.

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Conclusion

7. The prior art made of record, see PTO 892, and not relied upon is considered pertinent to applicant's disclosure.

CONTACT INFORMATION

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William D. Thomson whose telephone number is 703-305-0022. The examiner can normally be reached on 8:30-3:30 Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Teska can be reached on 703-305-9704. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William Thomson
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A.U. 2123